

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,
Plaintiff,

-against-

BAZLUR RAHMAN et al.,
Defendants.
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REPORT AND
RECOMMENDATION
CV-06-2220 (FB)

Plaintiff filed this action on May 12, 2006. On June 6, I issued an order setting an initial conference for September 12, 2006. *Docket Entry 2*. Neither side appeared.

On September 27, 2006, noting that defendants had not answered or moved but that plaintiff had taken no action in the case since filing the complaint, I directed plaintiff to submit a written status report by October 6, 2006. *Docket Entry 3*. On October 2, 2006, plaintiff submitted a letter indicating its intention to seek entry of a default judgment. *Docket Entry 4*. By Order dated October 2, I directed plaintiff to move for a default judgment no later than November 6, 2006. Plaintiff then sought an extension of time, which I granted, allowing plaintiff until forty-five days after November 2, 2006 to move for a default judgment.

Approximately four months have elapsed since plaintiff's request for forty-five days in which to move for a default judgment was granted. Plaintiff has not sought a further extension of time or otherwise taken any action in this case. Accordingly, I respectfully recommend that this action be dismissed.

Any objections to this report and recommendation must be filed with the Clerk of the Court, with copies provided to the Honorable Frederic Block, within ten days of receipt, and in any event no later than March 15, 2007. Failure to file timely objections may waive the right to appeal the District Court's order. See 28 U.S.C. §636(b) (1); Fed.R.Civ.P. 6(a), 6(e), 72; Small v. Secretary of Health and Human Services, 892 F.2d 14, 15 (2d Cir. 1989).

Brooklyn, New York
March 1, 2007

/s/
STEVEN M. GOLD
United States Magistrate Judge